

REMARKS/ARGUMENTS

The Office Action has been carefully considered. The issues raised are traversed and addressed below with reference to the relevant headings and paragraph numbers appearing under the Detailed Action of the Office Action.

Priority

A certified copy of the priority documents are submitted with this response as requested.

Information Disclosure Statement

A copy of the journal article by Dymetman is submitted with this response as requested.

Claim Objections

In view of the claim objections raised by the Examiner, claims 14 to 16, 27 to 29, 32 to 34 and 36 to 45 have been revised to correctly define the nature of the claim.

Claim Rejections 35 USC Section 103

The claim has been revised to specify that the product label is provided on a product item and that the coded data is uniquely indicative of the product item. A basis for the product item being uniquely identified is described for example on page 14, lines 27 to 31 of the specification which indicates that hyper labels are an optical tagging technology for uniquely identifying individual product items. Furthermore, this section describes how the hyper levels can rely on the surface of the product item and as will be appreciated by the Examiner from the remainder of the description, the hyper labels may also be applied to product item packaging by way of the label.

We respectfully submit that neither of the prior art documents teach or suggest such an arrangement.

In particular, Dymetman does not make any reference to the page being a label as identified by a label.

Furthermore, whilst Lieberman teaches prize drawing game entry forms, there is no disclosure of these forms being provided on the product item. This is highlighted for example in column 5, line 49 to column 6, line 5 which gives a number of specific examples in which the system may be utilised each of which explicitly avoids the use of providing the entry form on the product item.

In any event, even if the Examiner does not believe that this is sufficient to distinguish the claimed invention from the prior art, there is nothing in the prior art to teach or suggest that product items are uniquely indicated.

In particular, the process of Lieberman utilises a standard UPC (Universal Product Code) as set out in column 6. As will be appreciated by the Examiner, a UPC is utilised to indicate a item, but not to uniquely identify items of the same type. Thus, for example, each team of baked beans will have a common UPC. This does not therefore uniquely identify each product item but merely identifies a product item type.

The use of unique product item identification is not taught or suggested by either of the cited documents and in view of this we respectfully submit that claim 1 is novel and inventive over the prior art.

Similar arguments apply to the remaining claims.

CONCLUSION

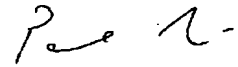
In light of the above, it is respectfully submitted that the objections and claim rejections have been successfully traversed and addressed. The amendments do not involve adding any information that was not already disclosed in the specification, and therefore no new matter is added. Accordingly, it is respectfully submitted that the claims 1 to 45, and the application as a whole with these claims, are allowable, and a favourable reconsideration is therefore earnestly solicited.

Very respectfully,

Applicant:



KIA SILVERBROOK



PAUL LAPSTUN



JACQUELINE ANNE LAPSTUN



PAUL QUENTIN SCOTT

C/o: Silverbrook Research Pty Ltd
393 Darling Street
Balmain NSW 2041, Australia

Email: kia.silverbrook@silverbrookresearch.com
Telephone: +612 9818 6633
Facsimile: +61 2 9555 7762